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Rec'd PCT/PTO 06 DEC 2004
10/500388

DECLARATION (37 CFR 1.63) FOR UTILITY OR DESIGN APPLICATION USING AN
APPLICATION DATA SHEET (37 CFR 1.76) AND POWER OF ATTORNEY

Title of Invention

BULK MATERIAL ANALYSER AND METHOD OF ASSEMBLY

As the below named inventor(s), I/we declare that: Michael Francis EDWARDS; Peter BUSBY; Andrew Roland HARRIS; James Hubert ASBURY; Timothy Richard BARRATT, Nick DEANS and Kenneth Graham SMITH

This declaration is directed to:

- ☐ The attached application, or
☒ Application No. 10/500,388, filed on June 28, 2004,
☐ as amended on _____ (if applicable);

I/We believe that I/we am/are the original and first inventor(s) of the subject matter which is claimed and for which a patent is sought;

I/We have reviewed and understand the contents of the above-identified application, including the claims, as amended by any amendment specifically referred to above;

I/We acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me/us to be material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT International filing date of the continuation-in-part application.

All statements made herein of my/own knowledge are true, all statements made herein on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001, and may jeopardize the validity of the application or any patent issuing thereon.

I/We hereby appoint:

Practitioners at Customer Number 22204 as my/our attorney(s) or agent(s) to prosecute the application identified above, and to transact all business in the United States Patent and Trademark Office connected therewith.

FULL NAME OF INVENTOR(S)

1-00 Inventor one: Michael Francis EDWARDS

Signature: 

Citizen of: Australian

2-00 Inventor two: Peter BUSBY

Signature: 

Citizen of: Australian

3-00 Inventor three: Andrew Roland HARRIS

Signature: 

Citizen of: Australian

4-00 Inventor four: James Hubert ASBURY

Signature: 

Citizen of: Australian

☒ Additional inventors are being named on 1 additional form(s) attached hereto.

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5-00

Inventor five: Timothy Richard BARRATT
Signature: *T.R. Barratt* Citizen of: Australian ✓

6-00

Inventor six: Nick DEANS
Signature: *Nick Deans* Citizen of: Australian BRITISH ✓

7-00

Inventor seven: Kenneth Graham SMITH
Signature: *K.G. Smith* Citizen of: Australian ✓

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10/500388

Applicant or Patentee:

Attorney's Dkt. No.

Serial or Patent No.:

Filed or Issued:

For:

**VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY
STATUS [37 19(f) and 1.27(c)] - SMALL BUSINESS CONCERN**

I hereby declare that I am

- ☐ the owner of the small business concern identified below:
☒ an official of the small business concern empowered to act on behalf of the concern identified below:

NAME OF CONCERN Scantech International Pty Ltd

ADDRESS OF CONCERN 143 Mooringe Avenue, Camden Park, South Australia 5038, Australia

I hereby declare that the above identified small business concern qualifies as a small business concern as defined in 13 CFR 121.3-18, and reproduced in 37 CFR 1.9(d), for purposes of paying reduced fees under section 41(a) and (b) of Title 35, United States Code, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention, entitled:

Bulk material analyser and method of assembly

by inventors Michael Francis EDWARDS, Peter BUSBY, Andrew Roland HARRIS, James Hubert ASBURY, Timothy Richard BARRATT, Nick DEANS AND Kenneth Graham SMITH described in

☐ the specification filed herewith.

☒ application Serial No. 10/500388, filed 28 June 2004

☐ patent No. _____, issued _____

If the rights held by the above-identified small business concern are not exclusive, each individual, concern or organization having rights to the invention is listed below* and no rights to the invention are held by any person, other than the inventor who could not qualify as an independent inventor under 37 CFR 1.9(c) if that person made the invention, or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d), or a nonprofit organization under 37 CFR 1.9(e). *NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities (37 CFR 1.27)

Name _____

Address _____

☐ Individual ☐ Small Business Concern ☐ Nonprofit Organization

Name _____

Address _____

☐ Individual ☐ Small Business Concern ☐ Nonprofit Organization

I acknowledge the duty to file, in this application of patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. [37 CFR 1.28(b)]

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under § 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing hereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING

TITLE OF PERSON OTHER THAN OWNER

ADDRESS OF PERSON SIGNING

SIGNATURE

☒ VALERIE STEER

☒ COMPANY SECRETARY

☒ 20 CROYDON AVENUE WEST CROYDON

DATE ☒ 24/9/04

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